

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JERRY E. SPICER,

Plaintiff,

v.

JOSEPH LEHMAN, *et al.*,

Defendants.

Case No. C06-5132FDB

ORDER EXTENDING TIME FOR
PLAINTIFF'S RESPONSE TO
ORDER TO SHOW CAUSE

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. Plaintiff has filed a civil rights complaint under 42 U.S.C. § 1983 and an application to proceed *in forma pauperis*. Plaintiff's application was deficient as the court was unable to determine his eligibility for *in forma pauperis* status based on the information submitted by plaintiff. Accordingly, plaintiff was ordered to show cause why his application should not be dismissed. (Dkt. # 3).

Plaintiff appealed the order to show cause to the District Court. The District Court found plaintiff's appeal to be out of order and re-referred the matter to the undersigned. (Dkt. # 5).

Plaintiff must respond to this court's order to show cause in order to proceed with his action. Now that this matter has been re-referred to the undersigned, the court deems it appropriate to provide plaintiff with a short extension of time until **June 5, 2006**, to respond to its order. If

1 plaintiff has not complied with the court's order to respond by that deadline or alternatively, has not
2 paid the required fee of \$250.00, his application to proceed *in forma pauperis* shall be denied and his
3 case will be dismissed without prejudice for lack of prosecution.

4 The clerk is instructed to re-note plaintiff's deadline for compliance with the court's order to
5 show cause (Dkt. # 3) until **June 5, 2006**.

6 DATED this 18th day of May, 2006.

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8 Karen L. Strombom
9 United States Magistrate Judge
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